

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

CHARLES BADAIN and MARY O'REILLY, on
behalf of themselves and all others similarly situated,

Plaintiffs,

v.

WACHOVIA SECURITIES, LLC and PRUDENTIAL
SECURITIES INC.

No. 06-CV-06321 (MAT)

STIPULATION

WHEREAS, Defendant Prudential Equity Group, LLC (incorrectly sued as Prudential Securities, Inc.) submitted its Motion to Dismiss the above-captioned matter on November 27, 2006.

WHEREAS, Plaintiffs, pursuant to order December 18, 2006, were scheduled to respond to Defendant's Motion to Dismiss on January 19, 2007; and Defendant was scheduled to submit a reply on January 26, 2007; and

WHEREAS, by order of the Judicial Panel on Multidistrict Litigation dated December 22, 2006 this matter will be transferred to the Honorable David O. Carter of the Central District of California,

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that Plaintiff's response to Defendant's Motion to Dismiss is now due on Friday, February 2, 2007 and Defendant's reply will be due on Friday, February 9, 2007, with the understanding that the parties may agree to a further extension.

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SO ORDERED:

S/ MICHAEL A. TELESKA
Michael A. Telesca, USDJ

Dated: January 26, 2007